

## Apple claim

8 messages

Wed, May 12, 2010 at 3:15 PM

Thank you for speaking with us today. After conferring with Apple, which is in line with what you and I discussed, there is no settlement agreement draft to review until there's a settlement agreed in principle. There can be no settlement in principle until you document your claim. Accordingly, we encourage you to complete and return the medical authorization form so we can go about gathering your records to properly evaluate your claim.

As always, If you have questions please do not hesitate to contact me.

Wed, May 12, 2010 at 4:44 PM

I thought you had implied to me on the phone that the only issue at dispute was the amount of damages, and we discussed various methods to value them. If that is the case, the only variable undefined is the amount and we had agreement in principle. Otherwise, I can assume that either I misunderstood you or you are misleading me. I am not interested in fishing expeditions.

I have been more than patient with Apple to date and done everything under my power to not intentionally damage Apple. I reported this claim to Apple last year. If the people working for Apple have been doing their jobs, you already have more than enough information on me and this situation. As I said on the phone, I requested the results of Apple's tests on the phone and their findings from the previous adjuster. The results would have been helpful to my doctor. Why should I answer your questions, when you do not answer mine? Why should I help you, if you do not help me? Why should I protect your best interest, when you do not protect mine? If you do not deal with me in good faith, why should I deal with you?

If we have no agreement in principle, why would I want to give you access to my medical records? My patience is rapidly wearing out, at this rate I doubt I will be able to be to give you the two weeks which I initially offered. I reserve the right to terminate negotiations before then.

---

Thu, May 13, 2010 at 9:41 AM

Mr. [REDACTED]

Thank you for writing so we can clear up any misunderstandings. As discussed, for us to be able to properly evaluate your claim we will need copies of your medical records for the injuries alleged to be related to this incident. To this effect we emailed you a medical authorization form for you to sign and return which would allow us to do just that. As also discussed, it is our intention to move your claim along in a timely fashion. Without the signed medical authorization we are unable to do so and thereby request that you return the authorization at your earliest convenience. You are also making a lost wages claim. The medical records will need to document the time period during which you were unable to work and you will need to provide evidence that you lost work/income during this time period for us to be able to consider such a claim. We discussed on the phone at length why this documentation was needed. We reiterate in this email that we are unable to evaluate your damages without this documentation. It is the duty of a party pursuing a claim to provide documentation/evidence to support the claim. We are offering to gather the documentation for you as much as possible; however, without the signed medical authorization we can not move the claim forward.

If you have any other questions please do not hesitate to contact me.

---

Thu, May 13, 2010 at 11:55 AM

Thank you for detailed information you sent me. I will provide you with expert opinions on causation, the medical conditions, the treatments rendered, and the future treatments that may be required in the future.

Being in the profession, I am sure you realize that it will take more time and money at my expense, to take this approach. It is also going to be very expensive for Apple as well, in all likelihood, this will lead to a class action product liability suit.

I was hoping, Apple wanted this to go away as much as I did. There is no way to handle this in a timely manner with your standard approach. I understand the statute of limitations on this matter is 2 years. In the mean time, I will use all possible resources to resolve this matter to my satisfaction.

I will activate [REDACTED] to act as a forum to discuss this matter and bring awareness to this issue that I believe consumers are entitled to be aware of. I will send you links and user accounts to respond to postings made by people on the site. If you object please let me know now.

Sincerely,

---

Fri, May 14, 2010 at 10:38 AM

Mr. [REDACTED]

Since Apple wants to deal with me on their terms, and this may take a while, I need something from you. The area of my face and ear where the iPhone touched, still does not feel the same as before the incident, and not as sensitive as my other side of face.

My doctors need to know, the results of the iPhone testing you did on my returned phone, the results of Apple's investigation on their employee who put my phone in his own case and pocket, and any other information you have on health issues of the iPhone to date, in order to properly diagnose and treat me.

I know you are reading this from a position of protecting Apple's best interest, but keep in mind, I have not

[REDACTED]

sued you, I have not intentionally attacked you, I have given you the opportunity to settle this, and I do not need your money. To date, I have only asked for the results of your investigations and have asked you to come up with a settlement agreement. I believe I stated I was willing to give you my medical records initially when I thought you implied that you were willing to pay for my lost wages. I believe, I have stated I was willing to give you a copy of the ENT's doctors report from the emergency room at [REDACTED]

As a personal appeal [REDACTED] if you were in my shoes, would you have peace of mind? I am glad I am not in your profession, but please help me get the information I need from Apple for my doctors.

Sincerely,

[REDACTED]

---

[REDACTED] Mon, May 17, 2010 at 10:54 AM

Mr. [REDACTED]

As discussed, Apple is willing to attempt to resolve this matter with you. As also discussed, for that to occur you need to make available documentation of your damages, including records and billings for your medical care, as well as documentation of any lost wages. This incident occurred nearly a year ago. You did not pursue the claim for many months. Without the requested documentation we can not evaluate your claim for attempted resolution. If you desire to attempt to resolve this claim with Apple please provide the aforementioned documentation and/or return the executed medical authorization form.

As always, if you have any other concerns please do not hesitate to let me know.

[REDACTED]

[REDACTED]

---

[REDACTED]

---

**Mon, May 17, 2010 at 12:13 PM**

[REDACTED]

Mr. [REDACTED]

Your statement "You did not pursue the claim for many months." is simply untrue. I have attached a pdf file from the previous adjustors emails to you.

Sincerely,

[REDACTED]

---

[REDACTED]

---

**Mon, May 17, 2010 at 12:15 PM**

[REDACTED]

---

[REDACTED]

---

[REDACTED]